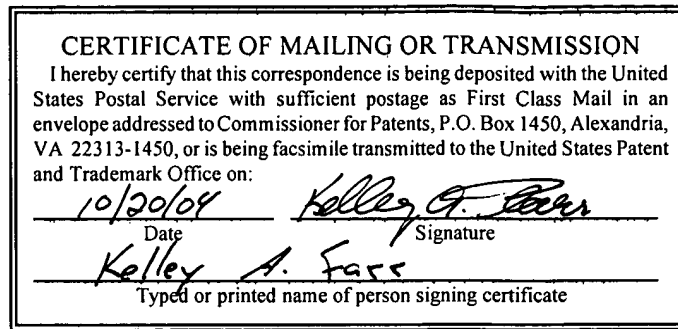


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Terry B. Strom and Xin Xiao Zheng
Application No.: 10/823,864 Group: 1644
Filed: April 13, 2004 Examiner: Not Yet Assigned
Confirmation No.: 5649
For: TRANSPLANT TOLERANCE BY COSTIMULATION BLOCKADE
AND T-CELL ACTIVATION-INDUCED APOPTOSIS



REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 24, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

[X] EXECUTED DECLARATION FOR PATENT APPLICATION

Please note that the correct address for inventor Xin Xiao Zheng is: 37 Kirkland Circle, Wellesley, MA 02481

(Separate transmittal letter and postcard not required)

10/25/2004 HDEMESS1 00000087 10823864

01 FC:1252

430.00 OP

[] POWER OF ATTORNEY DOCUMENT

[] Granted by Inventor(s)

[] Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)

(Separate transmittal letter and postcard not required)

[] PRELIMINARY AMENDMENT

(Separate transmittal letter and postcard not required)

[X] FILING FEE - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

[X] Claims as originally filed

[] The Notice to File Missing Parts states an erroneous number of claims.

[] Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

(Separate transmittal letter and postcard not required)

☒ **SURCHARGE** - surcharge fee of \$130.

(Separate transmittal letter and postcard not required)

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

☐ **REPLACEMENT DRAWINGS** - ☐ sheets of replacement drawings consisting of

Figs. 1 - ☐ are enclosed *(Separate transmittal letter and postcard not required)*

☐ A Petition to Accept Color Drawings/Photographs (Fig(s). ☐) and a Transmittal of Replacement Drawings, with attachments, are enclosed.

(Separate check for fees and postcard required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicants hereby petition to extend the time to respond to the Notice to File Missing Parts dated June 24, 2004 for two (2) months from August 24, 2004 to October 24, 2004. The appropriate fee of \$430 is included in the enclosed check.

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☐ Is enclosed herewith

(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1,808. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Deirdre E. Sanders

Deirdre E. Sanders

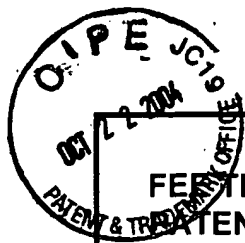
Registration No.: 42,122

Tel.: (978) 341-0036

Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: October 20, 2004



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number	1440.1024-002
Application Number	10/823,864
First Named Inventor	Terry B. Strom

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))	21	- 20* =	1	x \$ 18 =	\$ 18
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8	- 3** =	5	x \$ 88 =	\$ 440
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 300 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 790
Total of above Calculations =					\$ 1248
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =					\$
TOTAL =					\$ 1248
Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =					\$ 130
Petition for Extension of Time Fee (37 C.F.R. 1.17) =					\$
Assignment Recordation Fee = (only when filed with application)					\$
Petition for Extension of Time - Two (2) Months					\$ 430
TOTAL =					\$ 1808

* Reissue claims in excess of 20 and over original patent
** Reissue independent claims over original patent

1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1808. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature	<i>Deirdre E. Sanders</i>	Date	October 20, 2004
Submitted by Typed or Printed Name	Deirdre E. Sanders	Reg. Number	42,122



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,864	04/13/2004	Terry B. Strom	1440.1024-002

CONFIRMATION NO. 5649

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

FORMALITIES LETTER



OC000000013049687

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/25/2004 HDEHES1 00000087 10823864

FILED UNDER 37 CFR 1.53(b)

02 FC:1001	790.00 OP
03 FC:1051	130.00 OP
04 FC:1201	440.00 OP
05 FC:1202	18.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$448** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1348** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$448**
 - **\$430** for **5** independent claims over 3.
 - **\$18** for **1** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

AG

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE